

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: LEE, Jae
)	
ONICHTCHOUK, Daria, et al.)	Group Art Unit: 1656
)	
Serial No.: 10/551,176)	Docket No.: 8138-005-US
)	
Filed: December 20, 2005)	
)	
For: Use of dg931 protein for)	
treating diabetes, obesity)	
and metabolic syndrome)	

Request of Correction of Errors on Filing Receipt

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
[filed electronically]

Dear Commissioner:

This Request is being submitted for the purpose of correcting an error appearing on the Filing Receipt mailed August 16, 2006. Applicant respectfully requests the following correction to the Filing Receipt:

The Filing Receipt indicates the first named applicant as "Darla Onichtchouk". However, the first named applicant is "Daria Onichtchouk". Each of the Declaration, Information Disclosure Statement, Assignment, and Power of Attorney Documents submitted prior to the mailing of the Filing Receipt, list "Daria Onichtchouk" as the first named applicant. We have enclosed copies of the Assignment Document and the Office's Notice of Recordation of Assignment Document, both of which indicate "Daria


Onichtchouk" as an assignor. Therefore, Applicant requests a correction indicating "Daria Onichtchouk" as the first named applicant.

Applicant notes that the original Filing Receipt from which the enclosed corrected copy was made, has the Attorney Docket Number corrected by hand. This number has been updated via Private PAIR and therefore Applicant respectfully asks the Office to disregard the Attorney Docket Number correction on the enclosed corrected copy.

It is believed that there are no fees due for this request. If this is not the case, please charge any additional fees, or credit any overpayments, to Deposit Account No. 502235. The Office may contact Applicant's representative at (858) 200-0586 for additional clarification.

Respectfully submitted,

Date: July 11, 2007




David M. Kohn, Esq.
Reg. No.: 53,150


CATALYST LAW GROUP, APC
9710 Scranton Road, Suite 170
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/551,176	
	Filing Date	September 30, 2005	
	First Named Inventor	ONICHTCHOUK, Daria	
	Art Unit	TBD	
	Examiner Name	TBD	
Total Number of Pages in This Submission	4	Attorney Docket Number	8054-005-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Recordation Form Cover Sheet Original Executed Assignment Self-Addressed, Stamped Postcard
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Catalyst Law Group, APC		
Signature			
Printed name	David M. Kohn		
Date	December 16, 2005	Reg. No.	53,150

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Sara Hare	Date	December 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Due Date _____
 1st Extension _____
 2nd Extension _____
 Final Due Date _____
 Dkt #2 Confirmed m
 Atty Confirmed _____

RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

Daria ONICHTCHOUK
Tri NGUYEN

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) October 25, 2005

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: DevelopGen Aktiengesellschaft

Internal Address: _____

Street Address: Rudolf-Wissell-Stre. 28

City: Goettingen

State: _____

Country: Germany

Zip: 37079

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/551,176

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Catalyst Law Group

Internal Address: _____

Street Address: 9710 Scranton Road, Suite 170

City: San Diego

State: California

Zip: 92121

Phone Number: 858-450-0099

Fax Number: 858-450-9834

Email Address: dkohn@catalystlaw.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- ☐ Authorized to be charged by credit card
☒ Authorized to be charged to deposit account
☐ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

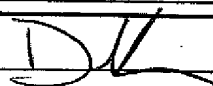
a. Credit Card Last 4 Numbers _____

Expiration Date _____

b. Deposit Account Number 502235

Authorized User Name David Kohn

9. Signature:



Signature

12/16/05
Date

David Kohn

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

3

ASSIGNMENT

WHEREAS, I, Daria Onichtchouk, a citizen of the Russian Federation, and I, Tri Nguyen, a citizen of the United States of America, hereinafter referred to as the “Assignors,” are the inventors of a certain invention titled “Use of a DG931 Protein Product for Preventing and Treating Diabetes and/or Obesity and/or Metabolic Syndrome” for which a Patent Cooperation Treaty (PCT) Patent Application was filed on March 31, 2004 and designated Serial Number PCT/EP2004/003417; and a United States national phase Utility Patent Application will be filed on or by September 30, 2005 and designated a Serial number that is yet to be determined; and

WHEREAS, DeveloGen Aktiengesellschaft., a German company, whose office is located at Rudolf-Wissell-Str. 28, 37079 Goettingen, Germany, herein referred to as “Assignee,” is desirous of acquiring the entire right, title and interest in the same.

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, the Assignors, by these presents do hereby sell, assign, transfer, and set over unto the said Assignee, its successors and assigns, the full and exclusive right, title and interest in and to the said invention and to all Letters Patent to be granted and issued therefore, including, but not limited to, all continuations, continuations in part, continuing prosecution and/or divisional applications, not only for, to and in the United States of America, its territories and possessions, but for, to, and in all other countries including all priority rights under the International Convention and any other applicable laws or

treaties; and we hereby authorize and request the United States Commissioner of Patents and Trademarks to issue any subsequent Letters Patent to said Assignee, its successors and assigns in accordance with this Assignment.

WITNESS my hand at Göttingen,
GERMANY this 25 day of Oct, 2005.

By: [Signature]
Name: DARIA ONICHTHOUK

WITNESS my hand at Göttingen,
GERMANY this 25 day of Oct, 2005.

By: [Signature]
Name: TRINGUYEN



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 25, 2006

PTAS



103141627A

CATALYST LAW GROUP
9710 SCRANTON ROAD, SUITE 170
SAN DIEGO, CA 92121

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/20/2005

REEL/FRAME: 017363/0697

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ONICHTCHOUK, DARIA

DOC DATE: 10/25/2005

ASSIGNOR:

NGUYEN, TRI

DOC DATE: 10/25/2005

ASSIGNEE:

DEVELOPGEN AKTIENGESELLSCHAFT
RUDOLF-WISELL-STRE. 28
GOETTINGEN, GERMANY 37079

SERIAL NUMBER: 10551176

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: USE OF DG931 PROTEIN FORTREATING DIABETES OBESITY AND METABOLIC SYNDROME



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/551,176	12/20/2005	1615	1530	8054-005-US 8138-005-US	5	32	9

CONFIRMATION NO. 1822

FILING RECEIPT



OC000000019985222

32301
CATALYST LAW GROUP, APC
9710 SCRANTON ROAD, SUITE S-170
SAN DIEGO, CA 92121

Date Mailed: 08/16/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) Daria

~~Daria~~ Onichtchouk, Gottingen, GERMANY;
Tri Nguyen, Gottingen, DE;

Power of Attorney: The patent practitioners associated with Customer Number 32301.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/03417 03/31/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03007274.8 03/31/2003

If Required, Foreign Filing License Granted: 08/10/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/551,176**

Projected Publication Date: 11/16/2006

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

